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December 14, 2020

Hon. Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman East
Brooklyn, NY 11201

**RE: *Jane Doe v. Oxford Health Ins., Inc.*, No. 1:17-cv-4160-AMD-RML
Joint Status Report**

Your Honor:

Pursuant to Your Honor's Order dated September 22, 2020, the parties jointly submit this report with respect to the status of settlement discussions and resumption of proceedings in this matter.

As Your Honor is aware, this action has been stayed since March 13, 2020 so that the parties could engage in settlement discussions. Dkt. No. 78. The related case of *Smith v. United Healthcare Co.*, Case No. 4:18-cv-06336-HSG (N.D. Cal.) (the "*Smith* case"), has similarly been stayed.

Since the stay went into effect, the parties have made progress in their discussions, but have not yet reached a resolution. The parties are hopeful that this matter can still be settled, but no longer agree on a continued stay.

The parties jointly request that the Court set a schedule as follows for further proceedings in this matter. Our proposed schedule includes certain interim deadlines for document and written discovery before the anticipated period for additional depositions. We note that the proposed schedule sets a deadline of January 22, 2021, for the parties to file motions to compel relating to discovery issues that are outstanding as of that date (including refile, if needed, the motion to compel that was filed prior to the stay).^{*} Given that these issues may impact some of the fact depositions, the parties will work with the Court in good faith to obtain a ruling on such motions by February 19, 2021.

^{*} The parties reserve the right to file additional motions to compel after the January 22, 2021 deadline on other issues that may come up as discovery progresses.

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The parties intend to meet and confer shortly regarding these outstanding issues, and we are hopeful that we can come to agreement on most, if not all, of them prior to the January 22 deadline. We will apprise the Court by January 22 if no motions to compel on outstanding issues are necessary.

Class Certification Period	Proposed Deadline
Deadline to file motions to compel relating to discovery disputes as of that date	January 22, 2021
Substantial completion of all document productions and written fact discovery (other than that which are the subject of the motions to compel)	February 19, 2021
Completion of any further document production and written fact discovery arising out of rulings on the motions to compel filed by January 22, 2021 (if ruled upon on or before February 19, 2021)	March 19, 2021
Completion of fact depositions	April 16, 2021
Exchange of opening class certification expert reports, and completion of any further fact discovery arising out of deposition testimony	May 14, 2021
Exchange of rebuttal class certification expert reports	June 11, 2021
Close of class certification expert discovery	June 25, 2021
Plaintiff's motion for class certification due	July 23, 2021
Opposition to motion for class certification due	September 3, 2021

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Class Certification Period	Proposed Deadline
Reply in support of class certification due	October 1, 2021
Hearing on motion for class certification	To be determined based on Court availability

As in our prior proposed schedules, the parties respectfully request a second period of discovery following the Court's ruling on Plaintiffs' motion for class certification.

The parties are concurrently submitting a scheduling order that sets a similar schedule for the *Smith* case.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Michael W. Lieberman
Michael W. Lieberman

CC: Counsel for Plaintiff (via ECF)